

01-1325 WASHINGTON LEGAL FOUNDATION v. LEGAL FOUNDATION OF WASHINGTON

Ruling below: CA 9, 271 F.3d 835.

QUESTIONS PRESENTED

In *Phillips v. Washington Legal Found.*, 524 U.S. 156 (1998), the Court held that the interest on clients' funds held in so-called IOLTA accounts ("Interest on Lawyers' Trust Accounts") was the property of the clients.

This case presents two questions:

1. Whether the regulatory scheme for funding state legal services by systematically seizing this property violates the Takings Clause of the Fifth Amendment to the Constitution so that the property owners are entitled to relief.
2. Whether injunctive relief is available to enjoin a State from committing such a violation of the Takings Clause, where the legislative scheme in issue clearly contemplates that no compensation would be paid to the owners of the interest taken, and where the small amount due in any individual case often renders recovery through litigation impractical.

CERT. GRANTED: 6/10/02